

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PHILIP BURG. et al.	:	CIVIL ACTION
	:	NO. 07-2992
v.	:	
	:	
UNITED STATES DEPARTMENT OF	:	
HEALTH AND HUMAN SERVICES,	:	
et al.	:	

**ORDER**

AND NOW, this 15th day of December, 2010, upon consideration of defendants' motion to substitute Kathleen Sebelius as defendant and all responses thereto, it is ORDERED that the motion is GRANTED. Kathleen Sebelius is substituted as defendant and the Clerk is directed to amend the caption accordingly. Plaintiffs' claims against the United States Department of Health and Human Services, James J. Maiorano, Eugene G. Berti Jr., the United States Department of Labor and the United States Office of Personnel Management are DISMISSED with prejudice.

It is further ORDERED that upon consideration of defendants' motion for summary judgment and all responses thereto, the motion is GRANTED and judgment is ENTERED in the above action in favor of defendant Kathleen Sebelius and against plaintiffs.

*s/Thomas N. O'Neill, Jr.*  
THOMAS N. O'NEILL, JR., J.